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GOOGLE INC. and KAI-FU LEE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GOOGLE INC. and KAI-FU LEE,  
  
Plaintiffs,  
  
v.  
  
MICROSOFT CORPORATION,  
  
Defendant.

Case No.: CV 05-03095 (RMW)

**DECLARATION OF STEPHEN  
E. TAYLOR IN SUPPORT OF  
MOTION BY PLAINTIFFS  
GOOGLE INC. AND KAI-FU LEE  
FOR SUMMARY JUDGMENT**

Date: October 14, 2005  
Time: 9:00 a.m.  
Place: Courtroom 6

Honorable Ronald M. Whyte

1 I, STEPHEN E. TAYLOR, declare as follows:

2 1. I am an attorney with Taylor & Company Law Offices, Inc., counsel for plaintiffs  
3 Google Inc. (“Google”) and Kai-Fu Lee (“Dr. Lee”) in the above-captioned litigation. I have personal  
4 knowledge of the facts set forth in this declaration and, if called upon to do so, I could and would  
5 testify competently to all of the matters contained herein. This declaration is submitted in support of  
6 the Motion by Plaintiffs Google Inc. and Kai-Fu Lee for Summary Judgment.

7 2. On July 18, 2005, before Dr. Lee resigned from Microsoft Corporation (“Microsoft”),  
8 Microsoft served Google with a complaint in an action in the Superior Court of the State of  
9 Washington, in and for King County, against Dr. Lee and Google (“the Washington Litigation”). A  
10 true and correct copy of that complaint is attached to this declaration as Exhibit A.

11 3. On July 21, 2005, Google and Dr. Lee filed a Complaint for Declaratory Relief against  
12 Microsoft in the Superior Court of the State of California, in and for Santa Clara County (“the  
13 California Litigation”). On July 29, 2005, the California Litigation was removed by Microsoft to the  
14 United States District Court for the Northern District of California, on the basis that this Court has  
15 diversity jurisdiction over the parties, and became this action.


16 4. On July 25, 2005, Microsoft filed a Motion for a Temporary Restraining Order and  
17 Order to Show Cause (“TRO Motion”) in the Washington Litigation. A true and correct copy of the  
18 TRO Motion is attached to this declaration as Exhibit B.

19 5. On July 28, 2005, the Court in the Washington Litigation issued a Temporary  
20 Restraining Order against Google and Dr. Lee. A true and correct copy of that order is attached to this  
21 declaration as Exhibit C.

22 6. A review of Microsoft’s website as of August 26, 2005, discloses that Microsoft  
23 operates offices in six different cities in California: Sacramento, San Francisco, Mountain View, Los  
24 Angeles–Santa Monica, Orange County–Irvine and San Diego. True and correct copies of pages re-  
25 printed from Microsoft’s website containing information disclosing the location of its offices in  
26 California is attached to this declaration as Exhibit D (see <http://www.microsoft.com/mscorp/info/>  
27  
28

1 [usaoffices/northernca/default.mspix](http://usaoffices/northernca/default.mspix); and [http://www.microsoft.com/mscorp/info/usaoffices/](http://www.microsoft.com/mscorp/info/usaoffices/southernca/default.mspix)  
2 [southernca/default.mspix](http://www.microsoft.com/mscorp/info/usaoffices/southernca/default.mspix)).

3 I declare under the penalty of perjury, under the laws of the United States of America, that the  
4 foregoing is true and correct. Executed this 26th day of August, 2005.

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6   
7 STEPHEN E. TAYLOR